

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 AID-05 CEA-01 CIAE-00 COME-00 EB-08  
FRB-03 INR-10 NSAE-00 SP-02 STR-07 TRSE-00 LAB-04  
SIL-01 OMB-01 DODE-00 DOTE-00 FMC-01 CG-00  
DLOS-09 OES-07 /072 W  
-----039671 011957Z/12

R 011804Z JUN 78  
FM AMEMBASSY BRUSSELS  
TO SECSTATE WASHDC 6987  
ALL EC CAPITALS  
INFO AMEMBASSY MOSCOW  
USMISSION USNATO

C O N F I D E N T I A L SECTION 01 OF 02 BRUSSELS 10684

USEEC

PARIS ALSO FOR OECD

E.O.11652:GDS  
TAGS: ETRN, EWWT, WTRD, EGEN, EEC  
SUBJECT: PREVIEW OF JUNE 12 EC TRANSPORT COUNCIL MEETING:  
MARITIME TRANSPORT PROPOSALS

REF: (A) 76 BRUSSELS 7772, (B) 77 BRUSSELS 1145,  
(C) BRUSSELS 1908, (D) EC-A-17,  
(E) BRUSSELS 7177, (F) EC-A-136,  
(G) EC-A-173, (H) BRUSSELS 8741

1. SUMMARY: THERE ARE THREE PROPOSALS CONCERNING  
MARITIME SHIPPING ON THE AGENDA OF THE EC TRANSPORT  
COUNCIL MEETING (JUNE 12). EC COMMISSION SOURCES  
INDICATE THAT THE PROSPECT FOR THE COUNCIL'S APPROVAL OF  
THE THREE IS NOT FAVORABLE. SINCE MORE TIME IS NEEDED FOR  
REACHING A CONSENSUS IN THESE COMPLEX AREAS, EC OFFICIALS  
SPECULATE THAT SOME CONCRETE MEASURES MAY BE DECIDED WHEN  
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THE EC TRANSPORT COUNCIL MEETS AGAIN IN NOVEMBER 1978.  
END SUMMARY.

2. THIS MESSAGE SUMMARIZES THE THREE PROPOSALS CONCERNING  
MARITIME SHIPPING ON THE AGENDA OF THE EC TRANSPORT  
COUNCIL MEETING (JUNE 12) AND OUTLINES THE PROSPECT FOR  
COUNCIL APPROVAL.

3. PROPOSAL FOR A COUNCIL RESOLUTION CONCERNING  
ACCESSION TO THE UN CONVENTION ON A CODE OF CONDUCT  
FOR LINER CONFERENCES  
AS REPORTED PREVIOUSLY (REFS A, B, C, AND D), THE REGULA-  
TION WOULD REQUIRE THE MEMBER STATES TO RATIFY OR ACCEDE  
TO THE CODE OF CONDUCT SUBJECT TO THE RESULTS OF NEGOTIA-  
TIONS BY THE EC COMMISSION WITH OTHER OECD COUNTRIES ABOUT  
EXTENDING TO THEM THE PRINCIPLE OF CARGO ALLOCATION ON A  
COMMERCIAL BASIS, AND TO THE ADOPTION OF A REGULATION  
CONCERNING THE APPLICATION OF THE COMPETITION RULES TO  
LINER CONFERENCES (SEE ARTICLES 1 AND 5 OF TEXT AS  
REPORTED IN REF D).

PROSPECT: THERE APPEARS TO BE NO GENERAL AGREEMENT, AS OF  
NOW, ON A COMMUNITY APPROACH TO THE CODE. SPECIFICALLY,  
THERE IS NO CONSENSUS ON THE DEFINITION OF "CARGO  
ALLOCATION ON A COMMERCIAL BASIS." CONSEQUENTLY, THERE IS  
LITTLE LIKELIHOOD THAT THE ORIGINAL PROPOSAL WILL BE  
ACCEPTED BY THE EC TRANSPORT COUNCIL. EC OFFICIALS HOPE  
FOR SOME TYPE OF COUNCIL MANDATE SO THAT THEY CAN PROCEED  
TO EXPLORE THE ATTITUDES OF OTHER OECD MEMBERS ON THIS  
POINT (ARTICLE 5 OF REF D) AND WORK OUT A COMMUNITY  
APPROACH TO THE CODE, ACCEPTABLE BY ALL, FOR FINAL APPROVAL  
BY THE NEXT EC TRANSPORT COUNCIL IN NOVEMBER 1978 (UNDER  
THE GERMAN PRESIDENCY). IF THERE IS NO AGREEMENT ON A  
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COMMUNITY APPROACH BY NOVEMBER, EC SOURCES SPECULATE THAT  
FRANCE, GERMANY AND BELGIUM WILL RENEW THEIR EARLIER  
INTENTIONS (SEE REFS A AND B) TO RATIFY THE CODE WITHOUT  
THE COORDINATION OF THE EC COMMISSION AND THE OTHER MEMBER  
STATES.

4. PROPOSAL FOR A COUNCIL DECISION CONCERNING THE  
ACTIVITIES OF CERTAIN STATE-TRADING COUNTRIES IN CARGO  
LINER SHIPPING

THE ORIGINAL COMMISSION PROPOSAL AS REPORTED (REFS E AND  
F) HAS SINCE BEEN MODIFIED INTO TWO DECISIONS FOR THE  
TRANSPORT COUNCIL. THE FIRST DECISION INVOLVES A  
"GENERALIZATION" OF THE ORIGINAL PROPOSAL TO PROVIDE THE  
COUNCIL WITH THE POWER TO INSTITUTE MONITORING SYSTEMS  
OPERATED BY THE MEMBER STATES AND TO COORDINATE ANY COUNTER-  
MEASURES BY THE MEMBER STATES IN RESPECT TO ALL CARGO  
LINER OPERATORS SERVING EC PORTS (DELETING ALL SPECIFIC  
REFERENCES TO STATE TRADING COUNTRIES). THE SECOND  
DECISION IS TO APPLY THESE "GENERALIZED" PROVISIONS TO  
SOVIET LINER SHIPPING AT EC PORTS IN ORDER TO ASCERTAIN  
WHETHER OR NOT THIS SOVIET "THREAT" IS SIGNIFICANT ENOUGH

TO REQUIRE COUNTERMEASURES BY THE MEMBER STATES IN  
COORDINATION WITH THE COUNCIL.

PROSPECT: THE LIKELIHOOD OF THE COUNCIL APPROVING THE TWO  
DECISIONS IS UNCERTAIN BECAUSE OF FRENCH RESISTANCE. IT

SEEMS THAT THE FRENCH DO NOT WANT IT TO APPEAR AS IF THE  
EC IS SINGLING OUT THE SOVIET UNION FOR PARTICULAR  
SCRUTINY IN LINER SHIPPING.

5. EC MEASURES CONCERNING INTERNATIONAL ACTION ON

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INFO OCT-01 ISO-00 AID-05 CEA-01 CIAE-00 COME-00 EB-08  
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SIL-01 OMB-01 DODE-00 DOTE-00 FMC-01 CG-00  
DLOS-09 OES-07 /072 W  
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R 011804Z JUN 78  
FM AMEMBASSY BRUSSELS  
TO SECSTATE WASHDC 6988  
ALL EC CAPITALS  
INFO AMEMBASSY MOSCOW  
USMISSION USNATO

C O N F I D E N T I A L SECTION 02 OF 02 BRUSSELS 10684

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POLLUTION, SAFETY, AND NAVIGATION REGULATIONS FOR  
SHIPS  
AS REPORTED EARLIER (REFS G AND H) THE COUNCIL WILL  
CONSIDER DRAFT DECISIONS DEFINING THE TERMS OF COORDINATED  
ACTION BY THE MEMBER STATES FOR THE SWIFT RATIFICATION OF  
THE FOLLOWING INTERNATIONAL MARITIME CONVENTIONS (UNDER  
THE AUSPICES OF THE INTERNATIONAL MARITIME CONSULTATIVE  
ORGANIZATION - IMCO):  
- THE MARPOL CONVENTION OF 1973 AND ITS 1978 PROTOCOL -  
DEALS WITH DANGEROUS SUBSTANCES AND WASTES CARRIED BY  
SHIPS  
- THE SOLAS CONVENTION OF 1974 AND ITS 1978 PROTOCOL -

DEALS WITH SAFETY AND NAVIGATION REGULATION FOR SHIPS  
- CONVENTION NO. 147 OF THE INTERNATIONAL LABOR ORGANIZATION (ILO) - DEALS WITH MINIMUM SAFETY AND LABOR PROVISIONS FOR MERCHANT SHIPS.  
PROSPECT: EC SOURCES EXPECT A COUNCIL RECOMMENDATION  
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(RECOMMENDATIONS ARE NOT BINDING ON THE MEMBER STATES),  
AT THE VERY LEAST, TO THE MEMBER STATES FOR THEIR  
RATIFICATION OF THESE THREE INTERNATIONAL CONVENTIONS.  
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## Message Attributes

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**Concepts:** MARINE TRANSPORTATION, MARITIME MEETINGS  
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